



Westlands Water District

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September 14, 2007

The Honorable Phil Isenberg
Chair, Delta Vision Blue Ribbon Task Force
650 Capitol Mall, 5th Floor
Sacramento, California 95814

RE: Comments on Draft Vision for Durable Management of a Sustainable
Delta

Dear Assemblyman Isenberg:

I am writing on behalf of Westlands Water District to comment on the Draft Vision for Durable Management of a Sustainable Delta ("Draft Vision"). Westlands is a California water district that supplies water to approximately 600 family farms, which operate on more than 500,000 acres of highly productive agricultural lands in Fresno and King Counties. Its principal source of water is water provided by the Central Valley Project pursuant to a long-term water service contract between Westlands and the United States Bureau of Reclamation. Farmers in Westlands use water supplied by Reclamation to grow more than 60 different crops, including almonds, pistachios, asparagus, wine grapes, lettuce, and tomatoes. With an adequate water supply, these farmers produce crops that contribute in excess of \$3 billion to the state's economy. The water supplied to Westlands by Reclamation is pumped from the Sacramento – San Joaquin Delta by Reclamation at the C.W. "Bill" Jones Pumping Plant, and for this reason Westlands has a keen interest in the outcome of the Delta Visioning Process.

Many of the conclusions stated in the Draft Vision are beyond reasonable dispute. Of particular significance are its conclusions that "the current condition and uses of the Delta are unsustainable," (Draft Vision at 2), that "the entire state water system must become more resilient," (*id.* at 12), and that "the state as a whole must reduce its reliance on the Delta . . . as a physical conveyance system." (*Id.*) However, the Draft Vision perpetuates the widely held, but erroneous belief that the Delta is the source of water for areas served by the pumping plants of the State Water Project and Central Valley Project. Although both projects pump some water directly from the Delta when it is in a "surplus condition," the majority of water supplied by the Projects is appropriated to storage upstream of the Delta. Stored water is subsequently released and conveyed through natural and manmade channels in the Delta for export at the Projects' respective pumping plants. With respect to their source of water, the State Water Project and the Central Valley Project are similar to the City of San Francisco and East Bay Municipal Utilities District, both of which appropriate waters that are tributary to the Delta. Unlike the Projects, however, these agencies export their water supplies through isolated conveyance facilities.

The distinction between the appropriation of Delta water and the use of Delta channels as a means to convey water previously appropriated to upstream storage is of more than legal or technical significance. This distinction means that most of the water supplied by the State Water Project and Central Valley Project pumping plants is rediverted at times when in a state of nature the water would not have been in the Delta, and it bears directly on Draft Vision's conclusion that the state must "reduce its reliance on the Delta . . . as a water supply." (*Id.*) Stated succinctly, the Delta is not a primary source of supply for the State Water Project or the Central Valley Project. The construction and operation of a conveyance system that minimizes conflict between efforts to recover Delta fish species and water project operations would enable the Projects to supply for use in their respective service areas substantially more of the water that is currently appropriated to storage.

This conclusion is supported by statements of Professor Jeffery F. Mount at the Delta Summit convened by Governor Arnold Schwarzenegger and Senator Dianne Feinstein on August 21, 2007. In response to a question by Senator Feinstein regarding "the best comprehensive solution" for the Delta taking into consideration all of the competing values, Professor Mount stated: "The optimal solution is going to land somewhere, okay, is going to land somewhere with a very expensive fix for the Delta. Its going to have to solve the conveyance issue." In response to a subsequent question by Chairwoman Grace Napolitano concerning the potential of reduced water supply from the Delta, Professor Mount stated:

I can sum it up for you, totally. What we found in our study, repeatedly, is that the limiting factor was not the amount of water; it was the conveyance of the water. It was the ability to move water from supply to demand, to demand centers. That was the overarching, number one, limiting factor for us, was conveyance.

Improved conveyance will not eliminate all conflict between the Projects' operations and the creation of an improved Delta ecosystem. The extent to which such conflict is reduced will depend on many factors. Among these factors is whether State Water Project and Central Valley Project water will continue to be conveyed through Delta channels, whether it will be conveyed through an isolated facility, or whether it will be conveyed through both Delta channels and an isolated facility. For instance, we are now learning that any conveyance system that creates reverse flow in Old and Middle Rivers may frustrate efforts to recover listed species, including the Delta smelt. The extent to which improved conveyance will reduce conflict between the Projects' operation and efforts to create an improved Delta ecosystem will also depend on how adaptable the improved conveyance system is, how it is operated, and how its operation will adapt to changing circumstances over time.

The Draft Vision is correct that water use efficiency, groundwater recharge, floodplain and local storage, recycling, desalinization, demand management programs, and water-conscious land use planning will be "key tools" to make the state's water supply system more resilient. (Draft Vision, at 12) Indeed, Westlands is proud that its farmers have

been at the forefront in developing highly efficient irrigation techniques and that Westlands has implemented conservation and demand management programs at costs in the hundreds-of-millions of dollars. Nevertheless, the implication created by the Draft Vision that in order to achieve a resilient Delta the state will have to adapt to reduced water supplies from areas upstream of the Delta is unsupported by any technical analysis, ignores that the demand for water will increase as the state's population grows, and is simply wrong.

In Bulletin No. 3, the May 1957 California Water Plan, the Department of Water Resources wrote:

California is presently faced with problems of a highly critical nature – the need for further control, protection, conservation, and distribution of her most vital resource – water. While these problems are not new, having been existent since the advent of the first white settlers, never before have they reached such widespread and serious proportions. Their critical nature stems not only from the unprecedented recent growth in population, industry, and agriculture in a semiarid state, but also from the consequences of a long period during which the construction of water conservation works has not kept pace with the increased need for additional water. Unless corrective action is taken – and taken immediately – the consequence may be disastrous.

* * *

Today, the future agricultural, urban, and industrial growth of California hinges on a highly important decision, which is well within the power of the people to make. We can move forward with a thriving economy by pursuing a vigorous and progressive water development, planning, and construction program; or we can allow our economy to stagnate, perhaps even regress, by adopting a complacent attitude and leaving each district, community, agency or other entity to secure its own water supply as best it can with small regard to the needs of others. The choice of these alternatives is clear.

The need for coordinated planning on a statewide basis has long been realized. Comprehensive plans have been formulated and reported upon in the past, and noteworthy accomplishments have been achieved by local enterprise and private and public agencies. But despite the great water development projects construed in the past, California's water problems continue to grow day by day.

As a consequence of the Department's efforts and the leadership of Governor Pat Brown, in 1963 the voters approved bonds for the construction of the State Water Project. Their actions enabled the state to meet statewide water demands as its population grew from 14 million people to a population of more than 35 million people. Construction of the State Water Project also provided irrigation water for highly

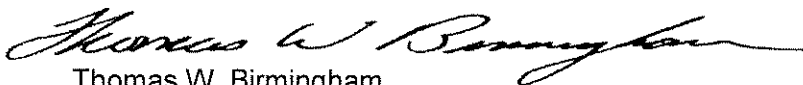
productive regions of the state, including the south San Joaquin Valley and the Coachella Valley. However, inaction over the last four decades make the statements in Bulletin No. 3 as true in 2007, as they were a half century ago when Bulletin No. 3 was released by the Department. Although noteworthy accomplishments have been achieved by local public agencies in the area of surface water storage, groundwater storage, and conservation, California's water problems continue to grow day by day because there has been little, if any, coordinated planning on a statewide basis.

The days of constructing water storage and conveyance facilities without regard for the impact such facilities have on the environment are over, but if the state is going to move forward with a thriving economy, we must pursue "a vigorous and progressive water development, planning and construction program" that gives equal priority to water supply development and environmental protection and restoration. These two objectives, improved water supply and environmental protection and restoration, do not have to be mutually exclusive. The alternative is to do nothing, which will cause our economy to stagnate, or more probably, retrogress.

At the August 21 Delta Summit both Governor Schwarzenegger and Senator Feinstein made comments that echoed the statements made in Bulletin No. 3. Both Governor Schwarzenegger and Senator Feinstein observed that important decisions regarding the future of the state's economy and the Delta ecosystem must be made. They both observed that if the state's existing and future demands for water are going to be satisfied, immediate action must be taken to improve the state's water supply infrastructure. The deliberations of the Blue Ribbon Task Force and the vision of the Delta it proposes will influence greatly the "highly important decision" (Bulletin No. 3) that the people of the state, through the administration and the legislature, will make regarding the future of California's economy. Westlands encourages the Task Force to propose a Delta vision that will result in a resilient, healthy Delta ecosystem without imposing artificial limits on the supply of water that can be developed and conveyed to areas of demand to meet the state's existing and future needs.

Your consideration of these comments is appreciated.

Very truly yours,



Thomas W. Birmingham
General Manager/General Counsel

cc: The Honorable Arnold Schwarzenegger
The Honorable Dianne Feinstein
The Honorable Grace Napolitano
The Honorable Jim Costa
The Honorable Dennis Cardoza
The Honorable George Radanovich

The Honorable Phil Isenberg
September 14, 2007
Page 5

The Honorable Devin Nunes
The Honorable Kevin McCarthy
The Honorable Dirk Kempthorne
The Honorable Mike Chrisman
The Honorable A.G. Kawamura
Commissioner Robert Johnson
Mr. Lester Snow
Mr. John Davis